

FILED

JUN 04 2020

Clerk, U.S. District Court
District Of Montana
Great Falls

TARA J. ELLIOTT
Assistant U.S. Attorney
U.S. Attorney's Office
P.O. Box 8329
Missoula, MT 59807
105 E. Pine, 2nd Floor
Missoula, MT 59802
Phone: (406) 542-8851
FAX: (406) 542-1476
Email: tara.elliott@usdoj.gov

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEMETRIUS DAMON HITE,

Defendant.

CR 20-23 -M-DWM

INDICTMENT

**CONSPIRACY TO DISTRIBUTE AND
POSSESS WITH THE INTENT TO
DISTRIBUTE CONTROLLED
SUBSTANCES**

Title 21 U.S.C. § 846 (Count I)
(Penalty: Mandatory minimum five to 40
years imprisonment, \$5,000,000 fine, and
at least four years supervised release)

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE**
Title 21 U.S.C. § 841(a)(1) (Count II)
(Penalty: Mandatory minimum five to 40
years imprisonment, \$5,000,000 fine, and
at least four years supervised release)

	<p>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME Title 18 U.S.C. § 924(c)(1)(A)(i) (Count III) (Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release)</p> <p>PROHIBITED PERSON IN POSSESSION OF A FIREARM Title 18 U.S.C. § 922(g)(1) (Count IV) (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)</p> <p>POSSESSION OF FIREARM NOT REGISTERED IN NATIONAL FIREARMS REGISTRATION AND TRANSFER RECORD Title 26 U.S.C. § 5861(d) (Count V) (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)</p> <p>CRIMINAL FORFEITURE Title 21 U.S.C. § 853(a)(1) and (2) Title 18 U.S.C. § 924(d)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED FOR PRIOR DRUG-RELATED FELONY CONVICTIONS</p>
--	--

THE GRAND JURY CHARGES:

COUNT I

Beginning in approximately April of 2019, and continuing until approximately May 19, 2020, in Missoula County, in the State and District of

Montana, and elsewhere, the defendant, DEMETRIUS DAMON HITE, knowingly and unlawfully conspired with others both known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 50 grams or more of a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and 100 grams or more of a substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 846.

COUNT II

On or about March 1, 2020, in Missoula County, in the State and District of Montana, and elsewhere, the defendant, DEMETRIUS DAMON HITE, knowingly and unlawfully possessed with the intent to distribute, five grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT III

Beginning in approximately April of 2019, and continuing until approximately May 19, 2020, in Missoula County, in the State and District of Montana, and elsewhere, the defendant, DEMETRIUS DAMON HITE, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely conspiracy to possess

with the intent to distribute controlled substances and possession with intent to distribute methamphetamine, as alleged in Counts I and II above, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT IV

Beginning in approximately April of 2019, and continuing until approximately May 19, 2020, in Missoula County, in the State and District of Montana, and elsewhere, the defendant, DEMETRIUS DAMON HITE, knowing he had been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of the State of California, knowingly possessed, in and affecting interstate commerce, a firearm, in violation of 18 U.S.C. § 922(g)(1).

COUNT V

On or about April 25, 2020, in Missoula County, in the State and District of Montana, and elsewhere, the defendant, DEMETRIUS DAMON HITE, knowingly possessed a firearm, namely a Baikal, model MP18, 12 gauge shotgun, that is a shotgun having a barrel length of less than 18 inches, that was not registered to him in the National Firearms Registration and Transfer record, in violation of 26 U.S.C. § 5861(d).

FORFEITURE ALLEGATION

Upon conviction of either of the offenses set forth in Counts I and II of this

indictment, the defendant, DEMETRIUS DAMON HITE, shall forfeit, pursuant to 21 U.S.C. § 853(a)(1) and (2), and 21 U.S.C. § 881(a)(11): (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the commission of said offense; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, said offense; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled Substances, and any proceeds traceable to such property.

Upon conviction of any of the offenses set forth in Counts III through V of this indictment, the defendant, DEMETRIUS DAMON HITE, shall forfeit, pursuant to 18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of 18 U.S.C. §§ 922(g)(1) and 924(c), and any willful violation of 26 U.S.C. § 5861(d).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON



KURT. G. ALME
United States Attorney

la JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Crim. Summons _____

Warrants _____

Bills _____

In Fed custody